

#4

DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SUSTAINED IMPROVER OF MUSCULAR FATIGUE

the application of which
 is attached hereto

OR

was filed on December 2, 2003 as United States Application Number or PCT International Application Number PCT/JP03/15429 (Confirmation No.), and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Claimed
			Yes No
P. 2002-350200	Japan	December 2, 2002	<input checked="" type="checkbox"/> <input type="checkbox"/>

I hereby claim domestic priority benefits under 35 United States Code §120 of any United States application(s), §119(e) of any United States provisional application(s), or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)	U.S. or International Filing Date	Status

I hereby appoint all attorneys of **SUGHRUE MION, PLLC** who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:			
Given Name (first and middle [if any]) <u>Hiroshi</u>		Family Name or Surname <u>TSUCHITA</u>	
Inventor's Signature <u>Hiroshi Tsuchita</u>		Date <u>July 19, 2005</u>	
Residence: City <u>Odawara-shi</u> State <u>JPX</u> Kanagawa		Country Japan Citizenship Japan	
Mailing Address: c/o Nutrition Science Institute of MEIJI Dairies Corporation, 540, Naruda			
City Odawara-shi		State Kanagawa Zip 250-0862 Country JAPAN	
NAME OF SECOND INVENTOR:			
Given Name (first and middle [if any]) <u>Masato</u>		Family Name or Surname <u>SAITO</u>	
Inventor's Signature <u>Masato Saito</u>		Date <u>July 19, 2005</u>	
Residence: City <u>Odawara-shi</u> State <u>JPX</u> Kanagawa		Country Japan Citizenship Japan	
Mailing Address: c/o Nutrition Science Institute of MEIJI Dairies Corporation, 540, Naruda			
City Odawara-shi		State Kanagawa Zip 250-0862 Country JAPAN	
NAME OF THIRD INVENTOR:			
Given Name (first and middle [if any]) <u>Toshikazu</u>		Family Name or Surname <u>KAMIYA</u>	
Inventor's Signature		Date	
Residence: City <u>Chiyoda-ku</u>		State Tokyo Country Japan Citizenship Japan	
Mailing Address: c/o Head Office, KYOWA HAKKO KOGYO CO., LTD., 6-1, Otemachi 1-chome,			
City Chiyoda-ku		State Tokyo Zip 100-8185 Country JAPAN	
NAME OF FOURTH INVENTOR:			
Given Name (first and middle [if any]) <u>Miho</u>		Family Name or Surname <u>KOMATSU</u>	
Inventor's Signature		Date	
Residence: City <u>Tsukuba-shi</u>		State Ibaraki Country Japan Citizenship Japan	
Mailing Address: c/o Tsukuba Research Laboratories, KYOWA HAKKO KOGYO CO., LTD., 2, Miyukigaoka			
City Tsukuba-shi		State Ibaraki Zip 305-0841 Country JAPAN	
NAME OF FIFTH INVENTOR:			
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State Country Citizenship	
Mailing Address:			
City		State Zip Country	

DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SUSTAINED IMPROVER OF MUSCULAR FATIGUE

the application of which
 is attached hereto

OR

was filed on December 2, 2003 as United States Application Number or PCT International Application Number PCT/JP03/15429 (Confirmation No.), and was amended on (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Priority Claimed Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
P. 2003-350200	Japan	December 2, 2002	

I hereby claim domestic priority benefits under 35 United States Code §120 of any United States application(s), §119(e) of any United States provisional application(s), or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)	U.S. or International Filing Date	Status
---	-----------------------------------	--------

I hereby appoint all attorneys of **SUGHRUE MION, PLLC** who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

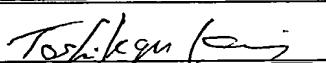


23373

PATENT TRADEMARK OFFICE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:

Given Name (first and middle [if any]) Hiroshi		Family Name or Surname TSUCHITA	
Inventor's Signature		Date	
Residence: City Odawara-shi	State Kanagawa	Country Japan	Citizenship Japan
Mailing Address: c/o Nutrition Science Institute of MEIJI Dairies Corporation, 540, Naruda			
City Odawara-shi	State Kanagawa	Zip 250-0862	Country JAPAN
Given Name (first and middle [if any]) Masato		Family Name or Surname SAITO	
Inventor's Signature		Date	
Residence: City Odawara-shi	State Kanagawa	Country Japan	Citizenship Japan
Mailing Address: c/o Nutrition Science Institute of MEIJI Dairies Corporation, 540, Naruda			
City Odawara-shi	State Kanagawa	Zip 250-0862	Country JAPAN
Given Name (first and middle [if any]) Toshikazu		Family Name or Surname KAMIYA	
Inventor's Signature 	Date July 20, 2005		
Residence: City Chiyoda-ku	State Tokyo	Country Japan	Citizenship Japan
Mailing Address: c/o Head Office, KYOWA HAKKO KOGYO CO., LTD., 6-1, Otemachi 1-chome,			
City Chiyoda-ku	State Tokyo	Zip 100-8185	Country JAPAN
Given Name (first and middle [if any]) Miho		Family Name or Surname KOMATSU	
Inventor's Signature MIHO KOMATSU	Date July 20, 2005		
Residence: City Tsukuba-shi	State Ibaraki	Country Japan	Citizenship Japan
Mailing Address: c/o Tsukuba Research Laboratories, KYOWA HAKKO KOGYO CO., LTD., 2, Miyukigaoka			
City Tsukuba-shi	State Ibaraki	Zip 305-0841	Country JAPAN
Given Name (first and middle [if any])		Family Name or Surname	
Inventor's Signature		Date	
Residence: City	State	Country	Citizenship
Mailing Address:			
City	State	Zip	Country